



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor: Kai H. Chang
David Kalish
Thomas J. Miller

Case: 6-17-28

Serial No.: 10/620,068

Group Art Unit: 1731

Filed: July 15, 2003

Examiner: Hoffmann, John M

Title: Method And Apparatus For Fabricating Optical Fiber Using
Deuterium Exposure

**ASSISTANT COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450**

SIR:

TERMINAL DISCLAIMER

The petitioner, Fitel USA Corp., a corporation organized and existing under the laws of Delaware, U.S.A., and having its principal office at 2000 Northeast Expressway, Suite 2H02, Norcross, Georgia, 30071-2906, U.S.A. represents that it is the sole owner of the entire right title and interest to the above-captioned U.S. Patent Application, the assignment recorded on Reel 015007, Frame 0262, in the U. S. Patent and Trademark Office on February 27, 2004.

The petitioner, Fitel USA Corp., is also the sole owner of the entire right title and interest to United States Patent No. 6,776,012 filed on June 26, 2001 and issued on August 17, 2004, entitled "Method Of Making An Optical Fiber Using Preform Dehydration In An Environment Of Chlorine-Containing Gas, Fluorine-Containing Gases And Carbon Monoxide", for Kai H. Chang, David Kalish and Thomas John Miller, the assignment being recorded on Reel 012734, Frame 0892.

The petitioner, Fitel USA Corp., hereby disclaims the terminal part of any patent to be granted on the above-identified application that extends beyond the expiration date of Patent No. 6,776,012, and hereby agrees that said patent to be granted on the above-identified application shall be enforceable only for and during each such period that the legal title to said patent to be granted and the legal title to the United States Patent No. 6,776,012 both remain in Fitel USA Corp., its successors or assigns, this agreement to run with said patent so granted and to be binding on the granted, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Signed at Norcross, in the state of Georgia, this 27th day of October, 2005.

Fitel USA Corp.

By:


Michael A. Morra, Attorney
Reg. No. 28975
(770) 798-2040

Date: 10-27-05

**Fitel USA Corp.
Docket Administrator
2000 Northeast Expressway
Suite 2H02
Norcross, GA 30071-2906**